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PATENT
Attorney Docket No.: 017534-000710US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On May 19, 2004

TOWNSEND and TOWNSEND and CREW LLP

By:

JoAnn Evangelista
JoAnn Evangelista

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JUN 01 2004
TECHNOLOGY CENTER 3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

RODNEY A. PERKINS et al.

Application No.: 09/606,320

Filed: June 28, 2000

For: METHODS, SYSTEMS, AND
KITS FOR LUNG VOLUME
REDUCTION

Customer No.: 20350

Confirmation No. 5479

Examiner: NGUYEN, Anh Tuan Tuong

Technology Center/Art Unit: 3763

**RESPONSE TO RESTRICTION
REQUIREMENT
AND PRELIMINARY AMENDMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement mailed on February 20, 2004, Applicants respectfully elect to initially prosecute the claims of Group I (claims 1-55 and 87-90) without traverse. In addition, Applicants have amended and added the claims, as noted below, and canceled claims 20-90 without prejudice to refiling these claims in subsequent related applications.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.